

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the matter of)	
)	
FIBER TECHNOLOGIES NETWORKS, L.L.C.)	
)	WC Docket No. 03-37
Petition for Preemption Pursuant to Section 253)	
of the Communications Act of Discriminatory)	
Ordinance, Fees and Right-of-Way Practices of the)	
Borough of Blawnox, Pennsylvania)	

FIBERTECH'S MOTION FOR EXTENSION OF TIME

Submitted by:

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Dated: March 25, 2005

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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FIBER TECHNOLOGIES NETWORKS, L.L.C.)
) WC Docket No. 03-37
Petition for Preemption Pursuant to Section 253)
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FIBERTECH'S MOTION FOR EXTENSION OF TIME

Complainant, Fiber Technologies Networks, L.L.C. ("Fibertech"), hereby respectfully requests that the Commission extend the deadline for responding to the Motion/Amended Motion to Dismiss by the Borough of Blawnox, Pennsylvania ("Blawnox") in the above-captioned matter. A response would otherwise be due on or about March 25, 2005. Fibertech requests that the deadline for response be extended to April 4, 2005, and in support of its motion states as follows:

1. On January 27, 2005, Blawnox apparently filed a Motion to Dismiss the Petition for Section 253 Preemption filed by Fibertech on January 30, 2003 (the "Petition"). Neither attorney for Fibertech received a copy of this Motion or otherwise received notice of this Motion from Blawnox.

2. It appears (from review of the Commission's online filing system) that Blawnox's original Motion to Dismiss filing was incomplete. Presumably because of this, Blawnox apparently filed an Amended Motion to Dismiss the Petition on

March 15, 2005. Neither attorney for Fibertech received a copy of this Motion or otherwise received notice of this Motion from Blawnox.

3. Yesterday, March 24, 2005, Fibertech received a call from Commission Staff asking whether Fibertech intended to respond to Blawnox's Motion/Amended Motion to Dismiss. This was the first notice Fibertech received of either the Motion or the Amended Motion filed by Blawnox

4. The issues raised in Fibertech's Petition, and commented on by numerous telecommunications companies, are vitally important to competitive service providers in view of the regulatory impetus toward facilities-based competition. Fibertech does not believe that Blawnox's recent actions have rendered the Petition moot. Therefore Fibertech opposes the dismissal of this case, and having just learned of these filings, Fibertech needs time to prepare its response.

5. Fibertech has notified Commission Staff of its intent to file this motion, and Fibertech will forward a courtesy copy of this Motion to the Borough's counsel today by fax or e-mail.

WHEREFORE, Fibertech respectfully requests that the deadline for filing a response to the Borough's Motion/Amended Motion to Dismiss in this proceeding be extended to April 4, 2005.

Respectfully submitted,

FIBER TECHNOLOGIES NETWORKS, L.L.C.

By: /s/ Charles B. Stockdale
Charles B. Stockdale, V.P. & Corporate Counsel

By: /s/ Robert T. Witthauer
Robert T. Witthauer, Deputy Corporate Counsel

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March 25, 2005

CERTIFICATE OF SERVICE

I hereby certify that on March 25th, 2005, I served a copy of the foregoing on the persons listed below by depositing a copy of same in the U.S. Mail, with first class postage paid to the persons listed below.

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